



District Court for Allegany County  
123 South Liberty Street  
Cumberland, MD 21502  
301-723-3100, ext. #2

Epifanio, Jesus / D121C023-000710  
Defendant/ case number

5-18-23  
Date of Service

This document confirms I have been advised that I am being charged with a FELONY that is not within the jurisdiction of the District Court; that I have the right to have a PRELIMINARY HEARING\* by a request made now, or within (10) days of service of this document, failure to make this request will result in a waiver of such hearing.

✓ I REQUEST a Preliminary Hearing.

       I WAIVE my right to a Preliminary Hearing

ORIGINAL - RETURN TO COURT  
District 12-01 - Allegany County

       I DEFER election of a Preliminary Hearing. If I do not make the Court aware of my decision regarding a Preliminary Hearing, in writing, within ten days, it will act as an automatic waiver of my right to this hearing.

[Signature]  
Witness J. DURST C035  
COMMISSIONER

[Signature]  
Defendant

**\*WHAT IS A PRELIMINARY HEARING?**

If you are charged with a FELONY, or any other crime which must be tried in the Circuit Court and you have not been indicted by the Grand Jury, you have the right to a preliminary hearing. If you want a preliminary hearing, you must request one with 10 days of your first appearance before the Commissioner, or within 10 days of being served with a criminal summons by the police.

A preliminary hearing is a proceeding held in the District Court to determine if there is PROBABLE CAUSE to believe you have committed the crime with which you are being charged. At a preliminary hearing, you do not testify or offer evidence, but you have the right to hear the evidence against you and to cross examine the State's witnesses.

If you waive your preliminary hearing, or if the hearing is held and the court finds probable cause, the State's Attorney must within 30 days file a charging document in the Circuit Court, nolle prosequi (not prosecute), or stet (indefinite postponement) in the District Court, or amend the charges so they may be tried in the District Court.

If the Court determines there is NOT probable cause, the Court may dismiss the charges.